

COMMISSION MEETING MINUTES

Indiana Fire Prevention and

Building Safety Commission

Government Center South

402 West Washington Street

Indianapolis, Indiana 46204

Conference Room B

March 7, 2006

1. Pursuant to IC 22-12-2-6, the Indiana Fire Prevention and Building Safety Commission's regular monthly meeting was opened by Chairman David Hannum at 9:02 am, March 7, 2006.

a. The following Commissioners were present at the Commission meeting:

David Brandt
Michael Christoffersen
Michael Corey
Howard W. Cundiff, Vice-Chairman, representing the Commissioner, Department of Health
Kevin Goeden, representing the Commissioner, Department of Labor
Jay Gore
David Hannum, Chairman
John Hawkins
M. Burke Jones
Ted Ogle
James Ridley

b. The following departmental and support staff were present during the meeting:

(1) Agency Support Services, Legal and Code Services
Mara Snyder, Director, Legal and Code Services
William Teegarden, Executive Administrative Law Judge
Robert Robinson, Code Specialist
Raleigh Kouns, Code Specialist
John Haines, Code Specialist
John Hibner, Code Specialist
Beth Sutor, Secretary
(2) Richelle Wakefield, Director, Building Code Enforcement
(3) Debbie Frye, Director, Fire Code Enforcement
(4) James Schmidt, Counsel for the Commission, Deputy Attorney General

2. Old Business.

Chairman David Hannum called for any corrections or a motion to approve the minutes of the February 7, 2006 meeting as distributed. A motion to approve the minutes as distributed was made by Commissioner Brandt and seconded by Commissioner Goeden. It was voted upon and carried.

3. New Business.

Mr. Russell E. Sanders, Central Regional Manager for the National Fire Protection Association (NFPA) spoke to the Commission about the NFPA 1, Uniform Fire Code. He stated that the NFPA central region includes Indiana and eight other mid-west states. NFPA is the worldwide leader in providing fire, electrical, and life safety to the public since 1896. Their mission is to protect people from fire and other hazards. They do so by developing and advocating scientifically based consensus codes and standards, research, training and education. They also have approximately 75,000 members in 120 countries throughout the world. Their members come from a variety of interest groups including labor unions, industry, government representatives, building officials, fire service members, consumers and more. He stated that if the State of Indiana adopts the NFPA 1, NFPA will provide free in-state training to code enforcement personnel as well as complimentary codebooks to those attending the free training sessions. He also stated that the benefits – unmatched by any other code organization – would not only provide the citizens of Indiana

with the best possible set of codes, but would save countless tax dollars.

Mr. Jim Tidwell from the International Code Council spoke to the Commission about the suite of codes benefiting communities adopting the ICC. He stated that everyone would be on the same page and the Indiana has parallel enforcement, both state and local enforce codes. He stated that he would like a decision within 60 days as to which code the Commission would like to use.

Ordinances.

Richelle Wakefield, Director, Building Code Compliance introduced building ordinances which had been reviewed. She recommended their approval. These ordinances were as follows:

Building Ordinance No. 2005-1

Cromwell, Indiana

Building Ordinance No. 5-2006

Brazil, Indiana

Building Ordinance No. 2005-9

Utica, Indiana

A motion to approve all of the ordinances was made by Commissioner Christoffersen and seconded by Commissioner Ridley. It was voted upon and carried.

4. Variances.

Tabled Variances.

Variance 05-09-1 Little Lamb Daycare, Muncie. Ms. Snyder stated that there was no variance needed because the facility had obtained a Construction Design Release. Commissioner Christoffersen moved that no variance was required. Commissioner Ogle made the second. It was voted upon and carried. Variance 06-02-8(b) Sycamore Sports and Recreation, Kokomo was asked to be tabled by Melissa Tupper, RTM Consultants, Inc. Commissioner Christoffersen moved to table. Commissioner Ogle made the second. Variance 06-02-38 Praise Place Club and Restaurant, Indianapolis. Ed Rensink, RTM Consultants, Inc. and owner Kim Outlaw spoke as proponents. They discussed decreasing the occupant load, banning smoking, prohibiting alcohol use and that there would be no video games, just pool tables. They stated that the sound system would be automatically cut off when the fire alarm system activated. Stephen Jones from the Pike Township Fire Department discussed the reasons why he opposed the variance. He talked about the occupant load, width of wall between rooms, not having fire wall all the way to the ceiling. Ron Ritchey of the Lafayette Fire Department and Randy Gulley of the Wayne Township Fire Department also opposed the variance. After much discussion, Commissioner Hawkins moved to approve with the conditions that: the variance would be valid while applicant is operator of the facility, a maximum of 299 occupant load, automatic fire alarm system per NFPA 72 to be installed, sound system must cut out upon activation of automatic fire alarm system, no smoking allowed, no alcohol allowed. Commissioner Christoffersen made the second. It was voted on and carried. Variance 06-02-41 West Washington School Corporation. Ed Rensink, RTM Consultants, Inc. spoke as proponent. He stated that the fire alarm system that was installed in the 1998 addition was in accordance with the interpretation of the code at the time of filing, which included visual devices in toilet rooms and corridors. A subsequent project included the installation of visual devices in classrooms for hearing-impaired students. After discussion, Commissioner Christoffersen moved to approve. Commissioner Ridley made the second. Commissioner Hawkins abstained. Variance 06-02-51 J.M.C. Gymnasium, Indianapolis. No proponent was present. Commissioner Brandt moved to deny. Commissioner Cundiff made the second. It was voted upon and carried.

5. **Breaking and reconvening** Chairman Hannum recessed the Commission at 10:48 a.m.. Chairman Hannum reconvened the meeting and called it to order at 10:58 a.m.

6. Regular Variances.

Commissioner Hawkins made the motion to approve the following variances with an "A" or "B" review rating by staff, with the second being made by Commissioner Ogle. It was voted upon and carried.

The following variances were approved as submitted:

(1) 06-03-3 Safeco Insurance Company, Indianapolis

(2) 06-03-6 Wal-Mart Supercenter #3747, Muncie

(3) 06-03-7 Wal-Mart Supercenter #3435, Greenwood

(4) 06-03-8 Wal-Mart Supercenter #1655, Crawfordsville

(5) 06-03-9 Wal-Mart Supercenter #4235, Terre Haute

(6) 06-03-10(a) Bethel Assembly of God Addition, Huntington

(7) 06-03-15 Eagle Two Guitar Center Addition, Brownsburg

(8) 06-03-17 Schurman-Lange Co. Addition, Lafayette

(9) 06-03-18(a)(b) Proposed Apartment building, College Crossing at National, Indianapolis

(10) 06-03-21(b)(c) Carmel Arts Gallery, Carmel

(11) 06-03-23 (a)(b)(c)(d)(e)(f) Schneck Medical Center 2007 Bldg./Cancer Center, Seymour

(12) 06-03-25 Northgate Plaza, New Albany

(13) 06-03-30 New Indianapolis Airport Parking Garage, Indianapolis

(14) 06-03-31 Lilly Tippecanoe Materials Management Center, Lafayette

(15) 06-03-33 Deaconess Gateway Hospital Expansion, Newburgh

- (16)06-03-34(a)(b)(c)(d) Parkview North Women's and Children's Hospital, Ft. Wayne
 - (17)06-03-35 St. Mary's Medical Center Heart Institute, Evansville
 - (18)06-03-37(a) Community Hospital North Expansion, Indianapolis
 - (19)06-03-38(a)(b) Hobart High School, Hobart
 - (20)06-03-39(b) IndyGo Administrative and Operations Center, Indianapolis
 - (21)06-03-40 St. Francis Hospital Mooresville Addition/Renovation, Mooresville
 - (22)06-03-41 Rink-Savoy Apartments, Indianapolis
 - (23)06-03-43 The Old Northside Lofts, Indianapolis
 - (24)06-03-44 Clarian Clinical Laboratory Consolidation, Indianapolis
 - (25)06-03-46 Med Venture, Jeffersonville
 - (26)06-03-47 Mitchell High School 2006 Renovation, Mitchell
 - (27)06-03-49(b) Tipton County Memorial Hospital Addition, Tipton
 - (28)06-03-50 University of St. Francis Pope John Paul II Center, Ft. Wayne
- The following variances were heard separately:

(29)06-03-1 New Berean Church, Anderson

Rev. James E. Streeter, New Berean Church, spoke as proponent. He stated what is now the sanctuary was at one time a gym and that there was no change in the infrastructure. He stated that the building went from a school to a Boy/Girls Club without any health or safety issues. At no time will the facility be at full capacity where everyone is in all rooms at the building at the same time. Commissioner Cundiff moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(30)06-03-02 Kitchen and Cafeteria Addition Crestview Elementary School, Indianapolis.

No proponent was present. Commissioner Cundiff moved to table for 30 days. Commissioner Christoffersen made the second. It was voted upon and carried.

(31)06-03-4 The Casba, Indianapolis

Jamie Browning, The Casba, spoke as proponent. He asked for it to be tabled. Commissioner Christoffersen moved to table for 30 days. Commissioner Brandt made the second. It was voted upon and carried.

(32)06-03-5 Aimers Chiropractic Center, Columbus

William Aimers, Aimers Chiropractic Center, spoke as proponent. He stated that to add/or relocate the sprinkler heads for the remodeling of the existing office space building was over four thousand dollars. He stated that there were cement floors and there was no need for the sprinkler system. He stated that a chance of a fire was minimal. They were going to re-wire the entire building to insure the most modern and safe wiring. A fire station is located 500 feet from the facility. Commissioner Christoffersen moved to approve with the condition that he put an out-of-order sign posted on the sprinkler riser, all sprinkler heads shall be removed and all piping shall be concealed.

Commissioner Cundiff made the second. It was voted upon and carried.

(33)06-03-10(b) Bethel Assembly of God Addition, Huntington

Joe Humbert, Humbert & Associates, spoke as proponent. Mr. Humbert stated that the existing facility is on a well water system with insufficient water pressure for the installation of a hydrant. The building site sits on solid limestone rock varying in depth from 6" to 14". The limestone would have to be blasted for a new water main to be installed. The cost to install a new water main would be excessive and the congregation could not afford this. He stated that the owner will and has installed a functional & monitored fire alarm system and the local fire marshal. Commissioner Christoffersen moved to approve variance (b). Commissioner Brandt made the second. It was voted upon and carried.

(34)06-03-11 Brookview, Indianapolis

A brief discussion by the Commission concerning the doors on the Alzheimer's unit that have been painted as a mural was held. They discussed that these doors have never been mistaken for anything but a door and there are exits clearly marked with lighted exit signs. It was also discussed that the doors have not been physically altered in any way, and still have the appearance of doors to those who are not cognitively impaired. The doors are also equipped with a keypad and a magnetic locking system which also distinguishes them from the surrounding walls. After the discussion, Commissioner Christoffersen moved to approve. Commissioner Jones made the second. It was voted upon and carried.

(35)06-03-12 Colleen's Hallmark Shop

Mark Schornstein, President of Colleen's Hallmark Shop spoke as proponent. He stated that since 1993 the State Fire Marshal ok'd the current architectural design and space, and deemed that it was not a threat to public health, safety and welfare. He stated he would lose at least 16 ft. of selling display space on the selling floor as well as 40 ft. of stock shelving in his stock room to create the needed corridor. He stated that it would greatly impair his ability to conduct business

from the stock/storage area. He stated that placing a series of walls & sliding door through the current stockroom would render it almost unusable, the doors would have to remain open all day which would defeat the purpose of the corridor. After discussion, Commissioner Jones moved to approve with the condition that a time period of six months will be given to create a corridor. Commissioner Christoffersen made the second. It was voted upon and carried.

(36)06-03-13 South Towne Square Apartments, Ft. Wayne
Withdrawn by proponent.

(37)06-03-14 Hilton Garden Inn, Bloomington

Christine Colleser requested that this be tabled for 30 days. Commissioner Corey moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

(38)06-03-16(a)(b) Community Church of Southport, Indianapolis

Melissa Tupper, RTM Consultants, Inc., spoke as proponent. She stated that the building will exceed the area limitations of Table 503 with modifications. She stated that the building is fully sprinklered, contains platforms not stages, side yards exceed 60 feet, ground floor which contains all the main assembly is located within 21 inches of grade and the small second floor is used for religious education classrooms.

She also asked that variance (b) be withdrawn. Commissioner Cundiff moved to approve variance (a) and withdraw variance (b). Commissioner Christoffersen made the second. It was voted upon and carried.

(39)06-03-19 Sportsman's Warehouse, Lafayette

Justin Dunn, subcontractor, spoke as proponent. He stated that the alternate locations of the horns and strobe lights are situated in a manner that allows them to be readily seen and heard with no chance of being obstructed. He stated where the code asks for them to be spaced at 100' intervals, they located them at approximately 50' intervals. After discussion, Commissioner Cundiff moved to approve. Commissioner Gore made the second. It was voted upon and carried.

(40)06-03-21(a) Carmel Arts Gallery, Carmel

David Cook, Ralph Gerdes Consultants, Inc., spoke as proponent. He stated that the new four story sprinklered building with condominiums located on the third and fourth floors will not have a stair extending to the roof. He stated that the building will be protected by an automatic fire sprinkler system per NFPA 13, 1999 edition. The building is adjacent to a public way (Main Street) allowing the use of an aerial ladder/platform by the fire department to access the roof of the building. He also stated that the NFPA 101, Life Safety Code, 2006 Edition does not require a stair to extend to the roof. After discussion, Commissioner Brandt moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

(41)06-03-22 Covenanter Gardens Home Owner's Association

David Cook, Ralph Gerdes Consultants, L.L.C., spoke as proponent. He stated that existing buildings, built in 1984, have R-2 (Condos) bedroom egress/rescue windows that are just now being cited for clear height dimension by the Housing Authority. They were cited for a clear height dimension of 20". This condition affects approximately 82 buildings and approximately 180 windows in the entire complex. Code would require the clear height to be 24". He stated that all other dimensions and requirements meet or exceed code requirements. (Clear Opening 5.79 sq. ft. vs. 4.75 required.) Smoke detectors are provided. He stated that code dimensions are also intended to permit fire service personnel to enter the structure for rescue or suppression activities. Firefighters are trained, for their own safety, to make the openings larger by removing portions of, if not all, of the window prior to entry. After discussion, Commissioner Ridley moved to approve. Commissioner Jones made the second. It was voted upon and carried.

(42)06-03-26 TrueBlood Oil Company, Inc., Farmersburg

Bill Thomas, TrueBlood Oil Company, Inc., spoke as proponent. He stated that the new building would require sprinkler system since it was over the maximum gallons of combustible liquids permitted in a non-sprinklered building. The water company does not have a water main at the location to support the system. Closest main large enough is two blocks away. He stated that they are proposing to install a fire alarm system with notification devices inside and outside of the building and have a quick connect for the Fire Department to use in case of fire. They will also train employees on how to exit the building. Commissioner Brandt moved to approve. Commissioner Ogle made the second. It was voted upon and carried.

(43)06-03-27 Prairie Crossing Elementary School, Oxford and

06-03-28 Benton Central Jr/Sr High School, Oxford

Christina Colleser, RTM Consultants, Inc., spoke as proponent for both variances. She stated that the doors to the isolation rooms will be provided with an electromagnetic locking system and the rooms will have monitoring cameras. Also a person will be in the room and it has a remote release in case of emergencies. Commissioner Brandt moved to approve. Commissioner Ogle made the

second. It was voted upon and carried. There was one (1) nay vote.

(44)06-03-29 Sisters of Saint Francis, Oldenburg

Ronald Kampsen, Tesco Elevator Co., Inc., spoke as proponent. He stated that there was insufficient space and area for installation of rope brake. He stated the elevator was in the basement, only used by the sisters; it is not a public building. A sensor would stop the machine, and there were two fail safes in place. Commissioner Corey moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

7. Breaking and reconvening. Chairman Hannum recessed the Commission at 11:55 a.m. for Lunch. Chairman Hannum reconvened the meeting and called to order at 1:03 p.m.

8. Variances (cont).

(45)06-03-32 Auto World, Mt. Vernon

Doug Trent, RTM Consultants, Inc., spoke as proponent. He stated that the two automobile dealerships with identical floor plans will be constructed on this site. The repair garage areas are required to have mechanical exhaust that operates at all times that the building is occupied. He stated that they will put an underfloor ventilation system will be utilized to keep the work area safe from the accumulation of fumes and gases. An emergency ventilation system will be provided with fans sized as required to provide 1.5 cfm per square foot. The fans will operate when carbon monoxide levels are detected warranting ventilation. Activation of exhaust fans upon detection of carbon monoxide is permitted for enclosed parking structures. Commissioner Hawkins moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(46)06-03-36(a)(b) Muncie North View Elementary School, Muncie

Ed Rensink, RTM Consultants, Inc., spoke as proponent. He stated the Administrative/Entrance addition of 2,114 sq. ft. will be added to an existing building area of 28,941 sq. ft. The existing building and addition will exceed the area allowed for the construction type. The project involves 3 additions – the administrative addition, a classroom addition, and a cafeteria addition. The classroom and cafeteria additions will be part of building areas that are within the permitted area for Type IIB construction. The building is classified as E Occupancy with accessory assembly spaces, and Type IIB construction. He stated that the proposed upseparated Administrative /Entrance addition will be less than 4.5% of the total building floor area, and will not be adverse to the existing building. Fire walls are provided in the rest of the building to limit new building areas to within that permitted by the current code for Type IIB construction. Commissioner Hawkins moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(47)06-03-37(b) Community Hospital North Expansion, Indianapolis

Ed Rensink, RTM Consultants, Inc., spoke as proponent. He asked the Commission for variance (b) to be tabled. Commissioner Christoffersen moved to table for 30 days. Commissioner Ridley made the second. It was voted upon and carried.

(48)06-03-45 Valparaiso University NE Parking Structure, Valparaiso

Ed Rensink, RTM Consultants, Inc., spoke as proponent. He stated that the project involves construction of a new multi-story parking facility. The parking facility will consist of at-grade parking, and three or four supported parking levels. He stated that the design will comply with the seismic design requirements of the 2003 International Building Code, including Sec. 1616.3, which permits the category to be determined based only on “short-period spectral response accelerations”, provided that there is compliance with certain conditions. Commissioner Brandt moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

(49)06-03-48(a)(b)(c) Dayton Memorial Presbyterian Church Classroom Remodel, Dayton

Ed Rensink, RTM Consultants, Inc., spoke as proponent. He stated that the new risers for the extension of the existing stairs will be 8” in height – code permits a maximum of 7” for new construction. The new treads for the extension of the existing stairs will be 10” in depth – code requires a minimum of 11” for new construction. The project involves renovation of existing 2nd floor tiered seating areas to Sunday school classrooms. In order to reach the raised floor level for the classrooms, 2 existing stairs will be extended with 5 new risers and 4 new treads. He stated that the new treads and risers will match the rise and run of the existing stairs. Matching existing stair rise and run will be safer than mixing dissimilar dimensions within the same stair flight. The calculated occupant load of the proposed classrooms is less than the calculated occupant load of the existing seating area. Commissioner Cundiff moved to approve. Commissioner Ogle made the second. There was one (1) nay.

(50)06-03-49(a) Tipton County Memorial Hospital Addition, Tipton

Ed Rensink, RTM Consultants, Inc., spoke as proponent. He stated that a 2-hour fire barrier will be used to separate to new I-2 Occupancy hospital addition (Type IB Construction) from the existing

I-2 Occupancy hospital. One of the smoke compartments in the existing hospital has some unprotected structural elements, which technically classifies the existing hospital as Type IIB (noncombustible, unprotected) construction. Code requires a 3-hour fire wall in this case to separate different construction types. The project involves a 3-story addition that includes a new emergency department to the existing hospital that will permit classification of the facility as "critical access". He stated that the existing hospital is protected throughout with an automatic sprinkler system. The new addition will be protected throughout with an automatic sprinkler system equipped with quick response sprinklers. All smoke compartments in the existing building have been evaluated for compliance with NFPA 101A, "Alternative Approaches to Life Safety", and have been demonstrated to be in compliance with the Fire Safety Evaluation System. Commissioner Brandt moved to approve. Commissioner Hawkins made the second. It was voted upon and carried.

(51)06-03-51 Blackford High School Tornado Shelter, Hartford City

Gerald R. Chabot, Ph. D., Superintendent, spoke as proponent. He stated that the tunnel area has been used for school shelter for students under direct supervision of administration and faculty during tornado drills and actual tornado type weather, since the building was opened in the fall of 1969. He stated that all tunnel areas are constructed of reinforced concrete. The walls are 12 inches thick in all areas. Ceiling areas are 6 inch thick precise concrete tee joists with at least 2 inch concrete and terrazzo cover. The occupied areas are free of all mechanical systems. All electrical switches are equipped with off to open interlocks. Dedicated colored lines for lead in and out are on tunnel floors for different areas of the building. Commissioner moved to approve. Commissioner Christoffersen made the second. It was voted upon and carried.

9. New Business – General.

a. Discussion and Possible Action

Las Rosas Mexican Grill
Denial of Variance
Administrative Cause No. 06-01
Nonfinal Order of Dismissal
Idlewood Apartment
Denial of Variance
Administrative Cause Nos. 03-50, 04-21
Nonfinal Order of Dismissal
Apostolic Gospel Church
Appeal of Grant Variance by LBO
Administrative Cause No. 03-69
Nonfinal Order of Dismissal
SBC Project #308722
Denial of Design Release
Administrative Cause No. 05-31
Nonfinal Order of Dismissal

Commissioner Cundiff moved to affirm with the second by Commission Ogle. It was voted upon and carried.

East Wayne Street Center, Inc.

Order – State Fire Marshal

Administrative Cause No. 05-27

Objections of the State Fire Marshal

Brief In Support of Objections to Notice of Filing Report,

Statement of Support of the Administrative Law Judge Decision,

Findings of Fact, and Nonfinal Order of Administrative Law

Judge and Request for Oral Argument

Commissioner Corey moved to dissolve Nonfinal Order based on statute of limitations. Commissioner Ogle made the second. There were two (2) Nays. It was voted upon and carried. Commissioner Hawkins moved that there was with no violation. Commissioner Ogle made the second. It was voted upon and carried.

Written Interpretation of Sections 403.1 and 106 of the IRC

Interpretation of Building Compliance Official

Administrative Cause No. 05-50

Notice of Filing Report, Findings of Fact, and

Nonfinal Order of Administrative Law Judge

Written Interpretation of Section 403.1 and 106 of the IRC

Administrative Cause No. 05-50

Objections of the City of Indianapolis

Commissioner Brandt moved to have Response to Written Objections filed by April 10th, 2006. Commissioner Ogle made the second. There was one (1) Nay. It was voted upon and carried.

TTS Development

Order – Warren Township Fire Department

Administrative Cause No. 04-41

Notice of Filing Report, Findings of Fact and

Nonfinal Order of Administrative Law Judge

Objections and Brief of the Warren Township Fire Department

Commissioner Ogle moved to approved to Remand to Administrative Law Judge for Consideration of Objections. Commissioner Jones made the second. It was voted upon and carried. There was one (1) Nay.

Anita Sue Enterprises

Denial of Variance

Administrative Cause No. 03-57

Notice of Remand

Commissioner Hawkins moved to approve variance. Commissioner Jones made the second. It was voted upon and carried.

b. Discussion and Commission Action On Petitions For Review (All are timely filed unless otherwise noted.)

Marvel Industries

Order – Richmond Fire Department

Strang and Associates

Condition of CDR #315934

Indianapolis Marriott East

Order – Warren Township Fire Department

Georgetown Police Department Building

Order – Building Code Enforcement Division

Commissioner Cundiff moved to approve all petitions for review. Commissioner Ogle made the second. It was voted upon and carried.

10. Discussion of Proposed Code Change of NFPA 58

John Shimer discussed the proposed code change to NFPA 58 Liquefied Petroleum Gas Code 2004 edition. He discussed updated version. There will be a public hearing on March 17, 2006 on proposed NFPA updates. He was asked to bring an evaluation to the May Commission meeting.

11. Adjournment.

Chairman Hannum called for further business. There being none, he adjourned the meeting at 2:41 p.m.

APPROVED

David Hannum, Chairman